

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of NIKEETA LARK MCLAUGHLIN
and HAROLD WILLIAM MCLAUGHLIN, Minors.

FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED

June 12, 2003

Petitioner-Appellee,

v

TWILIGHT PUSGULIAN,

No. 245426

Otsego Circuit Court

Family Division

LC No. 00-000204-NA

Respondent-Appellant,

and

HAROLD WILLIAM MCLAUGHLIN,

Respondent.

In the Matter of NIKEETA LARK MCLAUGHLIN
and HAROLD WILLIAM MCLAUGHLIN, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

HAROLD WILLIAM MCLAUGHLIN,

No. 245579

Otsego Circuit Court

Family Division

LC No. 00-000204-NA

Respondent-Appellant,

and

TWILIGHT PUSGULIAN,

Respondent.

Before: Fitzgerald, P.J., and Hoekstra and O'Connell, JJ.

PER CURIAM.

In these consolidated appeals, respondents appeal as of right the orders terminating their parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm.

The trial court did not clearly err by finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that, at the time of the termination hearing, the children had been in care for approximately twenty-three months. The children were initially removed after respondent-father hit his four-year-old son with a belt, causing severe bruising on the child's right leg from the waist down to just above the knee. At that time, respondent-mother was in jail for felonious assault involving the same child. In particular, respondent-mother, armed with a knife, took the four-year-old child into the woods and threatened to kill herself and the child. While in the woods, respondent-mother slashed her wrist in the child's presence. There was also evidence that respondents had struck both children on other occasions. As a result of respondents' behavior, the children were traumatized and have psychological issues. Services were provided to respondents for nearly two years, and respondents were given ample opportunity to demonstrate their ability to care for the children, but the evidence showed that respondents' issues had not been sufficiently addressed.

The evidence showed that respondent-mother has a borderline personality disorder with narcissistic characteristics, as well as a history of suicide ideations, self-mutilation, mood instability, and denial, all of which significantly impede her ability to parent. The evidence also showed that respondent-father is distressed, unhappy, depressed, dependent and insecure, and has a clinically significant potential for child abuse and alcohol abuse. In addition, respondent-father's issues concerning his own childhood abuse must be addressed before he can parent the children. Further, the evidence showed that respondents have a tenuous relationship with the children, show them very little affection, are unable or unwilling to internalize and employ proper parenting skills, continue to prioritize their needs above the children's, and make inappropriate decisions regarding the children's well being.

Contrary to respondents' positions, simply attending counseling sessions, parenting classes, and family visits was not enough to preclude termination of their parental rights under the circumstances of this case. Rather, the evidence clearly established that respondents are either unwilling or unable to make the necessary growth to regain custody of the children. Considering respondents' history, psychological and emotional concerns, conduct, and lack of parenting skills, there is no reasonable likelihood that their circumstances will sufficiently change or improve and, therefore, no reasonable expectation that either respondent will be able to provide proper care and custody within a reasonable time considering the ages of the children.

Further, there is a reasonable likelihood that the children will be harmed if they are returned to either respondent.

The evidence also did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). To the contrary, the evidence showed that the children have been abused and negatively impacted while in respondents' care, that the children have improved significantly while in foster care, and that they would regress and again be traumatized if they were returned to either respondent. The evidence also showed that both children have needs that require loving, understanding, emotionally stable and supportive parents and, given respondents' mental and emotional deficiencies, and failure to sufficiently benefit from the services offered, it is unlikely that either respondent would be able to sufficiently address the children's needs within a reasonable time.¹ Thus, the trial court did not err by terminating respondents' parental rights to the children. *Id.*

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Joel P. Hoekstra

/s/ Peter D. O'Connell

¹ Respondent-mother argues that certain therapists were not credible. However, the trial court found those witnesses credible, and we defer to the trial court's assessment of the credibility of the witnesses before it. MCR 2.613(C); *In re Miller, supra*.